



## **Town Commission Meeting** **Monday, November 10, 2008; 7:00 p.m.**

Town of Surfside - Town Hall  
9293 Harding Avenue, 2<sup>nd</sup> Floor  
Surfside, FL 33154

### **AGENDA** **(Revised)**

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **PRESENTATIONS AND ACKNOWLEDGEMENTS**
  - A. Midnight Madness Event - Janet Mondschein, MADD Director
  - B. Officer and Civilian of the Month - Chief David Allen
  - C. Acknowledgement of Ricardo Maulin – Commissioner Weinberg
  - D. Good and Welfare (Public Comment) *For subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.*
4. **PETITIONS, REQUESTS, ANNOUNCEMENTS AND COMMUNICATIONS**
  - A. Projects Progress Report –Calvin, Giordano & Associates **[TAB 1]**
  - B. Committee / Board Reports
    1. Beautification Committee
    2. Education Committee
    3. Green Committee (*inactive*)
    4. Parks & Recreation Committee
    5. Charter Review Committee
    6. Pension Board
    7. Personnel Appeals Board
    8. Planning and Zoning Board
    9. Tourist Bureau
5. **AGENDA:** (*approval/deletions/additions/amendments/deferrals*)

## 6. CONSENT AGENDA

*(Approval - all items on the consent agenda are considered routine by the Town Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission so requests, in which event, the item will be moved to the Main Agenda for consideration)*

**Recommended Motion:** To approve all items on the consent agenda.

### A. Approval of the Minutes **[TAB 2]**

1. Minutes - September 9, 2008 – Regular Meeting
2. Minutes – September 9, 2008 – First Budget Hearing
3. Minutes – September 16, 2008 – Special Meeting

### B. Approving Expenditure of Forfeiture Funds – Crime Prevention **[TAB 3]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA PROVIDING FOR THE FISCAL YEAR 2008/2009 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF FORTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$43,500) TO BE FUNDED BY PROCEEDS OF THE CONFISCATION FUND.

### C. Ratifying After-the-Fact Purchase of Saturn Hybrid Vehicle in Lieu of Ford Escape Hybrid Vehicle **[TAB 4]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AFTER THE FACT THE TOWN MANAGER'S PURCHASE FOR THE RECREATION DEPARTMENT OF THE SATURN VUE HYBRID SPORTS UTILITY VEHICLE IN LIEU OF THE FORD ESCAPE HYBRID SPORT UTILITY VEHICLE; AND PROVIDING FOR AN EFFECTIVE DATE.

### D. Waiving Sandwich Board Provision for Surfside Third Thursday's Event **[TAB 5]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, WAIVING ENFORCEMENT OF SIGN ORDINANCE DURING THE THIRD THURSDAY EVENTS ON HARDING AVENUE IN THE BUSINESS DISTRICT TO ALLOW FOR SANDWICH BOARD SIGNS AND PROVIDING FOR AN EFFECTIVE DATE.

### E. Approving Expenditure of \$30,595 for Emergency Sewer Lateral Line Repairs **[TAB 6]**

## 7. PUBLIC HEARINGS - ORDINANCES, QUASI-JUDICIAL ITEMS, AND RESOLUTIONS

### A. Pet Shop Ordinance (First Reading) – Sarah Sinatra **[TAB 7]**

AN ORDINANCE OF THE TOWN OF SURFSIDE, FLORIDA AMENDING ARTICLE IV "DISTRICT REGULATIONS," SECTION 90.41 "REGULATED USES" OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO INCLUDE NEW PARAGRAPH 23 UNDER SECTION 90.41.4 "USE TABLES NOTES" PROHIBITING THE SALE OF LIVE ANIMALS AS A RETAIL AND GENERAL COMMERCIAL USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To introduce the Ordinance for first reading.

- B. Capital Improvements Element update (First Reading) – Sarah Sinatra  
**[TAB 8]**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE TOWN'S COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICT, INCLUSION IN THE COMPREHENSIVE PLAN AND AN EFFECTIVE DATE.

**Recommended Motion:** To introduce the Ordinance for first reading.

- C. Zoning Code Text Amendment Adding "Community Facilities" - Second Reading **[TAB 9]**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE "TABLE OF USES" IN SECTION 90.41.3 TO CREATE A NEW ZONING DISTRICT ENTITLED "COMMUNITY FACILITIES;" AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES INCLUDING BUT NOT LIMITED TO SECTION 90.43 ENTITLED "MAXIMUM BUILDING HEIGHTS," SECTION 90.45.1 ENTITLED "REQUIRED SETBACKS-TABLES;" SECTION 90.48.1 CONCERNING MODIFICATION OF SIDE AND REAR YARD REGULATIONS, SECTION 90.49 ENTITLED "LOT STANDARDS;" TO PROVIDE FOR REGULATIONS AND PERFORMANCE STANDARDS FOR USES IN THE CF ZONING DISTRICT; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To adopt the Ordinance after second reading after public hearing.

- D. Zoning Code Map Amendment - Second Reading **[TAB 10]**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING ITS OFFICIAL ZONING MAP TO

REZONE THE PROPERTY FOR THE TOWN OF SURFSIDE'S PROPOSED COMMUNITY CENTER COMPLEX LOCATED ON 1) PROPERTY LOCATED AT 9301 COLLINS AVENUE, SURFSIDE, FLORIDA, LEGALLY DESCRIBED AS LOT 1, BLOCK 1 OF "SURFSIDE CENTER," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 31, TOGETHER WITH LOT A, LYING AT THE FOOT OF 93<sup>RD</sup> STREET, FORMERLY KNOWN AS ROSE STREET, FACING ON THE ATLANTIC OCEAN AS SHOWN ON "ALTOS DEL MAR NO. 5," ACCORDING TO THE PLAT THEREOF IN PLAT BOOK 8, PAGE 92, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM PUBLIC RECREATIONAL TO COMMUNITY FACILITIES; AND 2) PROPERTY LOCATED AT 9281 COLLINS AVENUE, SURFSIDE, FLORIDA, LEGALLY DESCRIBED AS LOT 11, BLOCK 1 "ALTOS DEL MAR NO. 5," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 92 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM MU AND H120 TO CF, SAID PROPERTIES BOTH LYING IN SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA, AND CONTAINING A TOTAL NET AREA OF 80,326 SQUARE FEET (1.844 ACRES, MORE OR LESS); PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR INCLUSION IN THE OFFICIAL ZONING MAP AND CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To adopt the Ordinance after second reading after public hearing.

E. Comprehensive Plan Future Land Use Map Amendment - Second Reading **[TAB 11]**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE TOWN OF SURFSIDE'S PROPOSED COMMUNITY CENTER COMPLEX LOCATED ON 1) PROPERTY LOCATED AT 9301 COLLINS AVENUE, SURFSIDE, FLORIDA, LEGALLY DESCRIBED AS LOT 1, BLOCK 1 OF "SURFSIDE CENTER," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 70, PAGE 31, TOGETHER WITH LOT A, LYING AT THE FOOT OF 93<sup>RD</sup> STREET, FORMERLY KNOWN AS ROSE STREET, FACING ON THE ATLANTIC OCEAN AS SHOWN ON "ALTOS DEL MAR NO. 5," ACCORDING TO THE PLAT THEREOF IN PLAT BOOK 8, PAGE 92, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM PUBLIC RECREATIONAL TO COMMUNITY FACILITIES; AND 2) PROPERTY LOCATED AT 9281 COLLINS AVENUE, SURFSIDE, FLORIDA, LEGALLY DESCRIBED AS LOT 11, BLOCK 1 "ALTOS DEL MAR NO. 5," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 92 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM HIGH DENSITY RESIDENTIAL TO COMMUNITY FACILITIES, SAID PROPERTIES BOTH LYING IN

SECTION 35, TOWNSHIP 52 SOUTH, RANGE 42 EAST, TOWN OF SURFSIDE, MIAMI-DADE COUNTY, FLORIDA, AND CONTAINING A TOTAL NET AREA OF 80,326 SQUARE FEET (1.844 ACRES, MORE OR LESS); PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To adopt the Ordinance after second reading after public hearing.

F. RESOLUTION: Ratifying After-the-Fact Purchase **[TAB 12]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AFTER THE FACT THE TOWN MANAGER'S PURCHASE OF MARKETING AND CONSULTING SERVICES FROM MARKETING MAGIC, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To adopt the Resolution.

G. RESOLUTION: Certifying November 4, 2008 Special Election Results **[TAB 13]**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD ON NOVEMBER 4, 2008 TO VOTE ON FOUR MUNICIPAL QUESTIONS CONCERNING WITHDRAWAL FROM THE MIAMI-DADE COUNTY FIRE RESCUE DISTRICT, CHARTER AMENDMENT REGARDING PRESIDING OFFICERS, CHARTER AMENDMENT REGARDING GENERAL AND SPECIAL ELECTION OF COMMISSION MEMBERS AND GENERAL OBLIGATION BONDS AND PROVIDING FOR AN EFFECTIVE DATE.

**Recommended Motion:** To adopt the Resolution.

**8. UNFINISHED BUSINESS**

A. Town of Surfside and Miami-Dade County Addendum to Intergovernmental Agency Agreement **[TAB 14]**

B. Traffic Management Program **[TAB 15]**

C. Review of Solid Waste Collection Operation – Fernando Rodriguez

**9. NEW BUSINESS**

A. Florida Communities Trust (FCT) Grant Agreement **[TAB 16]**

## 10. MAYOR & COMMISSION AND STAFF COMMUNICATIONS

A. Merry-Go-Round Removal – Mayor Burkett

B. Family Volunteer Day – Mayor Burkett

C. Call for Special Workshop Meeting with Downtown Businesses –  
Commissioner Weinberg

## 11. ADJOURNMENT

Respectfully submitted,



Gary L. Word  
Town Manager

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- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.
  - IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
  - AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT [www.townofsurfsidefl.gov](http://www.townofsurfsidefl.gov)
  - TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY attend AT THIS MEETING.
  - THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.